



PATENT
Atty. Docket No. BSC-219

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gellman CONFIRMATION NO.: 7658
SERIAL NUMBER: 10/020,345 GROUP NUMBER: 3731
FILING DATE: December 14, 2001 EXAMINER: Ho
TITLE: Dilation Catheter Assembly and Related Methods

RESPONSE TO RESTRICTION REQUIREMENT

This paper is responsive to the action mailed from the Patent Office on December 29, 2003. The shortened statutory period for response expires on January 29, 2004. No extension or fee is necessary, as this paper is being submitted before or on January 29, 2004. Should any extension or fee be required for some reason, please consider this a conditional petition for any needed extension period and a conditional authorization to charge our Deposit Account No. 20-0531 for any needed fee(s).

The action requires an election of claims 1-20 or claims 21-52.

Applicant elects claims 1-20 with traverse. Applicant submits that the restriction requirement is not proper because the action does not indicate how the apparatus can be used to practice another and materially different process, as required by MPEP § 806.05(e). Applicant thus requests reconsideration and withdrawal of the restriction requirement, and examination of all claims (*i.e.*, claims 1-52).

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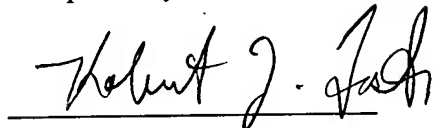
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CONCLUSION

Applicant elects claims 1-20, but also requests reconsideration and withdrawal of the restriction requirement, and allowance of claims 1-52 in due course.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert J. Tosti", is written over a horizontal line.

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Date: January 28 2004

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